

## **REMARKS**

In the March 31, 2008 Office Action, all of the claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

### ***Status of Claims and Amendments***

In response to the March 31, 2008 Office Action, Applicant has amended claims 1, 7 and 10-15 as indicated above. Also, Applicant has cancelled claims 8 and 9, and added new claims 16 and 17. Thus, claims 1-7 and 10-17 are now pending, with claims 1 and 7 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

### ***Rejections - 35 U.S.C. § 102***

On pages 2-5 of the Office Action, claims 1-15 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0144513 (Gunji et al.). In response, Applicant has amended independent claims 1 and 7 to more clearly define the present invention over the prior art of record.

In particular, independent claim 1 now requires, *inter alia*, a support unit including a tongue portion covering the rear portion of the ventilation fan; an upper casing removably mounted to the support unit to cover the heat exchanger and the ventilation fan, the tongue portion extending upwardly from an upper surface of the support unit to a free end that is positioned above the upper surface and that is positioned at a height no higher than an apex of the ventilation fan, and ***the support unit being configured such that the ventilation fan is rotatably supported on the support unit with the tongue portion adjacent the rear portion of the ventilation fan and the support unit lies entirely below the apex of the ventilation fan before installation of the upper casing and the heat exchanger.***

Similarly, independent claim 7 is directed to a method of assembling an indoor unit of an air conditioner, which requires, *inter alia*, providing a support unit having a tongue portion extending upwardly from an upper surface of the support unit to a free end that is positioned above the upper surface; installing a ventilation fan on the support unit such that the ventilation fan is rotatably supported by the support unit, with the free edge of the tongue portion being positioned at a height no higher than an apex of the ventilation fan when the

ventilation fan is rotatably supported thereon; and removably installing an upper casing on the support unit to cover the ventilation fan and the heat exchanger after installing the ventilation fan and the heat exchanger, *the support unit being configured such that the ventilation fan is rotatably supported on the support unit with the tongue portion adjacent the rear portion of the ventilation fan and the support unit lies entirely below the apex of the ventilation fan before installation of the upper casing and the heat exchanger.*

In other words, the structure/method of the indoor unit illustrated in Figures 7 and 9 of the instant application is more clearly recited in the independent claims. Clearly, the structure/method of these independent claims are *not* disclosed or suggested by the Gunji et al. publication or any other prior art of record. Specifically, in the Gunji et al. publication, the so-called support unit 120/121 has a free end disposed well above the apex of the ventilation fan, as best seen from Figures 2-4. The Office Action is apparently ignoring the parts of the support unit 120/121 (110) of the Gunji et al. publication that extend well above the ventilation fan. However, the vertical part of the member 110 is integrally formed with the curved portion 124, and thus, must be considered part of the "support unit" of the Gunji et al. publication, and not some other part, as understood from Figures 2-4 of the Gunji et al. publication. Thus, when the ventilation fan 400 of the Gunji et al. publication is rotatably supported on the so-called support unit 120/121 (110), the support unit has an integral part that extends well above the ventilation fan 400 (to the top of the indoor unit). In other words, in the Gunji et al. publication, the ventilation fan 400 cannot be rotatably supported by a part that does not extend above the ventilation fan. Thus, it is impossible for the Gunji et al. publication to disclose or suggest the unique arrangements of the independent claims 1 and 7, as now amended.

It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicant respectfully submits that independent claims 1 and 7, as now amended, as well as their respective dependent claims 2-6 and 10-15 are not anticipated by the prior art of record. Accordingly, withdrawal of this rejection is respectfully requested.

*New Claims*

Applicant has added new claims 16 and 17 by the current Amendment. New claims 16 and 17 depend from independent claims 7 and 1, respectively, and thus, are believed to be allowable for the reasons discussed above with respect to these independent claims. Also, these new dependent claims include additional limitations, which in combination with the features of their respective independent claims, are not disclosed or suggested by the Gunji et al. publication or any other prior art of record.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-7 and 10-17 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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